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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,182	04/16/2004	David M. Brickman	9575-012-23

CONFIRMATION NO. 8293

Supervisor, Patent Prosecution Services
PIPER RUDNICK LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

FORMALITIES LETTER



OC000000013091827

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE



PIPER RUDNICK ^{LLP}
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TELEPHONE: 202-861-3900
FACSIMILE: 202-223-2085

DOCKET NO.: 9575-012-23

ATTENTION: APPLICATION BRANCH
THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING PARTS OF APPLICATION

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Inventors: DAVID M. BRICKMAN, ET AL.
Serial No: 10/825,182
Filed: APRIL 16, 2004
For: METHOD OF STRUCTURING AND USING A PERFORMANCE-
BASED PARTICIPATION CERTIFICATE

SIR:

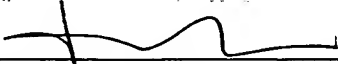
Attached hereto for filing are the following papers:

RETURN COPY OF NOTICE TO FILE MISSING PARTS
FILING OF DECLARATION
DECLARATION (3 pages/executed)
LIST OF 10 PRACTITIONERS TO BE RECOGNIZED BY THE OFFICE AS BEING OF
RECORD

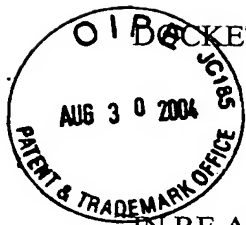
Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R.1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R.1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP



Steven B. Kelber
Registration No. 30,073
Attorney of Record
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Registration No. 44,977



BUCKET NO. 9575-012-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David M. BRICKMAN, et al. ART UNIT: 3624
SERIAL NO.: 10/825,182 EXAMINER:
FILING DATE: April 16, 2004
FOR: METHOD OF STRUCTURING AND USING A PERFORMANCE-
BASED PARTICIPATION CERTIFICATE

FILING OF DECLARATION UNDER 37 C.F.R. 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS
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ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the notification dated June 28, 2004, and in accordance with the provisions of 37 C.F.R. 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

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DOCKET NO. 9575-012-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David M. Brickman, et al.

ART UNIT: 3624

SERIAL NO.: 10/825,182

EXAMINER:

FILING DATE: April 16, 2004

FOR: METHOD OF STRUCTURING AND USING A PERFORMANCE-BASED
PARTICIPATION CERTIFICATE

**LIST OF 10 PRACTITIONERS TO BE
RECOGNIZED BY THE OFFICE AS BEING OF RECORD**

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SIR:

Please recognize the following ten (10) practitioners as being of record in the
above-captioned patent or patent application:

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